

From: James DuWaldt
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 7:33pm
Subject: Microsoft Settlement

Ladies and Gentlemen,

I am writing under the Tunny Act to express my dissatisfaction with the proposed settlement with Microsoft. In particular, I believe that:

1. Microsoft should be required to publish the specifications of its file formats and should explicitly agree to not prosecute anyone who reverse-engineers them. This will allow competitors to emerge for, in particular, Microsoft Office, which currently owns approximately 90% of the office software market.
2. Microsoft should be required to publicly disclose the signiture and functionality of any operating system interface used by any of its applications, without any form of reciprocity from anyone for any reason whatsoever. All should be able to see it; the notion that Microsoft can withhold technical information from third parties on the grounds that Microsoft does not certify the "authenticity and viability of [the third party's] business" is unnecessary (and, ironically, perhaps even an unfair burden on Microsoft).
3. There should be some sort of monetary penilty for past misdeeds. For example, it has been proposed that Microsoft should give approximately 1 billion dollars worth of equipment and software to poor schools but it has been (correctly, I believe) noted that this will harm competitors. Therefore let Microsoft simply give the schools money, with no requirements attached to its use. Schools can buy computers, repair buildings, whatever, on the theory that the schools will know their needs better than Microsoft.

Thank you for taking the time to read my response. I hope there is something useful in it for your consideration.

James B. DuWaldt